

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
RAQUEL LAZO
3 Assistant Federal Public Defender
Nevada State Bar No. 8540
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Raquel_Lazo@fd.org

7 Attorney for Tony Nivongso
8

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 TONY NIVONGSO,
16 Defendant.

Case No. 2:19-CR-323-RFB-NJK

**STIPULATION TO CONTINUE
PRETRIAL MOTION DEADLINES**
(First Request)

17
18 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
19 Trutanich, United States Attorney, and Brian Y. Whang, Assistant United States Attorney,
20 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
21 and Raquel Lazo, Assistant Federal Public Defender, counsel for Tony Nivongso, that the
22 previously ordered deadline for filing of pretrial motions be vacated and that the parties herein
23 shall have to and including July 16, 2020, within which to file the Defendant's pretrial motions
24 currently due July 2, 2020.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
26 shall have to and including July 30, 2020, to file any and all responsive pleadings, currently due
July 16, 2020.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including August 6, 2020, to file any and all replies to dispositive motions,
3 currently due July 23, 2020.

4 The Stipulation is entered into for the following reasons:

5 1. Counsel for the defendant needs additional time to meet and discuss the
6 government's proposed resolution with her client; and to file a pretrial motion should her client
7 reject the government's proposed resolution.

8 2. The defendant is incarcerated and does not object to the continuance.

9 3. The parties agree to the continuance.

10 4. The additional time requested herein is not sought for purposes of delay, but
11 merely to allow counsel for defendant sufficient time within which to discuss the proposed
12 resolution with her client.

13 5. Additionally, denial of this request for continuance could result in a miscarriage
14 of justice.

15 This is the first stipulation to continue filed herein.

16 DATED this 24th day of June, 2020.

17 RENE L. VALLADARES
18 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

19 */s/ Raquel Lazo*
20 By _____
21 RAQUEL LAZO
Assistant Federal Public Defender

/s/ Brian Y. Whang
By _____
BRIAN Y. WHANG
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 TONY NIVONGSO,

7 Defendant.

Case No. 2:19-CR-323-RFB-NJK

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the defendant needs additional time to meet and discuss the
14 government's proposed resolution with her client; and to file a pretrial motion should her client
15 reject the government's proposed resolution.

16 2. The defendant is incarcerated and does not object to the continuance.

17 3. The parties agree to the continuance.

18 4. The additional time requested herein is not sought for purposes of delay, but
19 merely to allow counsel for defendant sufficient time within which to discuss the proposed
20 resolution with her client.

21 5. Additionally, denial of this request for continuance could result in a miscarriage
22 of justice.

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ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including July 16, 2020, within which to file the Defendant's pretrial motions.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including July 30, 2020, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including August 6, 2020, to file any and all replies to dispositive motions.

DATED this 13th day of July, 2020.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE